

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :) Examiner: Nghi V. Tran
Douglas M. Dillon, et al. :) Group Art Unit: 2151
Appln. No.: 10/010,521 :) Confirmation No.: 1352
Filed: December 7, 2001 :)
For: METHOD AND APPARATUS :)
FOR SELECTIVELY :)
ALLOCATING AND ENFORCING)
BANDWIDTH USAGE :)
REQUIREMENTS ON :)
NETWORK USERS :)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Your petitioner, HUGHES NETWORK SYSTEMS, LLC, a corporation duly organized under the laws of Delaware, having a principal office at El Segundo, California, and duly represented by the undersigned attorney of record, represents that it is the assignee of the full title and interest in and to the above-identified Application No. 10/010,521, filed December 7, 2001.

Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,473,793 B1, as presently shortened by any terminal disclaimer, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,473,793 B1, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,473,793 B1 as presently shortened by any terminal disclaimer, in the event that subsequent hereto U.S. Patent No. 6,473,793 B1 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is the subject of any disclaimer under 37 C.F.R. 1.321(a), has all claims cancelled by a reexamination certificate or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Petitioner's undersigned attorney may be reached at (301) 601-7252.

Respectfully submitted,



Craig L. Plastrik
Attorney for Applicant
Registration No. 41,254